

United States District Court
Southern District of Texas

ENTERED

February 23, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DESTINO ENERGY LLC, *et al.*, §
§
Plaintiffs, §
§
VS. § CIVIL ACTION NO. 4:21-CV-02364
§
LRH ENERGY CAPITAL LLC, *et al.*, §
§
Defendants. §

ORDER

Before the Court are United States Magistrate Judge Frances H. Stacy's Memorandum and Recommendation filed on January 27, 2022 (Doc. #25) and Defendants' Objections (Doc. #27). The Magistrate Judge's findings and conclusions are reviewed de novo. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Having reviewed the parties' arguments and applicable legal authority, the Court adopts the Memorandum and Recommendation as this Court's Order.

Notably, this Court finds that Plaintiffs explicitly allege that Richard Kaufman ("Kaufman") was an agent of LRH Energy Capital. *See* Doc. 1, Ex. 2 at 8 ("Defendant Richard Kaufman is the managing director of LRH Energy Capital LLC."). Therefore, Plaintiffs' claims against Kaufman are not implausible as a matter of law.

Accordingly, Plaintiffs' Motion for Remand (Doc. #12) is hereby GRANTED.

It is so ORDERED.

FEB 22 2022

Date

The Honorable Alfred H. Bennett
United States District Judge

